

**THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

UNITED STATES OF AMERICA,)	
)	
)	
v.)	Case No.: 1:14-cr-206 (LO)
)	
ARKADIY BANGIYEV, <i>et al.</i> ,)	
)	
Defendants.)	
)	

**REPLY TO GOVERNMENT'S OPPOSITION TO THIRD PARTY PETITIONERS'
APPLICATION TO ADJOURN HEARING ON THE THIRD-PARTY PETITIONS
 BROUGHT BY THIRD PARTY PETITIONERS IRINA ALISHAYEVA,
SIMKHO BANGIYEV, RIVA BADALOVA and ILANA BANGIYEV**

COMES NOW the petitioners Irina Alshaya, Simkho Bangiyev, Riva Badalova and Ilana Bangiyev (collectively "Petitioners") by and through their undersigned counsel Randy Zelin ("Zelin"), and respectfully reply to the government's opposition to petitioners' motion to this Court for an order adjourning the hearing on their third party petitions presently scheduled for July 9, 2019 at 10:00 a.m.

The government has indicated that while it has no objection to continuing the hearing related to petitioner Ilana Bangiyeva, the government wishes to proceed with the remaining petitioners.

Petitioners respectfully submit that essentially "severing" petitioner Ilana Bangiyeva's claims will result in two (2) hearings, rather than one (1) hearing. Moreover, since petitioner Ilana Bangiyeva's claims are inextricably intertwined with the other petitioners' claims, it is impossible to in fact "sever" petitioner Ilana Bangiyeva's claims and treat her claims in a vacuum. In other words, petitioner Ilana

Bangiyeva's claims relate to and affect both real and personal property where other petitioners also have claims.

For example, the proof will show that petitioner Ilana Bangiyeva and petitioner Irina Alishayeva have interests in real properties known as 110-37 69th Ave., Forest Hills, New York; 102-02 65th Rd. Flushing, New York; 98-21 67th Ave. Flushing, New York; 98-23 67th Ave. Flushing, New York; the proof will show that petitioner Riva Badalova gifted approximately \$230,000 to petitioner Ilana Bangiyeva; and, the proof will show that petitioner Ilana Bangiyeva gifted the 2008 Lexus vehicle to Simkho Bangiyev.

As previously stated, if the Court is inclined to adjourn the hearing, counsel for petitioners is still prepared to appear on July 9, 2019 to conference the matter with a view towards entering into stipulations with the government to expedite the hearing, if not to reach a settlement.

Petitioner Anna Bangiyev joins in this application.

It is respectfully submitted that good cause exists for the Court to grant this application.

Dated: July 8, 2019

Respectfully submitted,

Irina Alishayeva
Simkho Bangiyev
Riva Badalova
Ilana Bangiyev
By Counsel

/s/

Nina J. Ginsberg, Esquire
VSB # 19472

Local Counsel

DiMuroGinsberg, P.C.
1101 King Street, Suite 610
Alexandria, VA 22314
703-684-4333 (Phone)
703-548-3181 (Fax)
njginsberg@dimuro.com

Randy Zelin, Esquire
Randy Scott Zelin P.C.
747 Third Ave., 32d Fl.
New York, NY 10017
212.897.9100 (Phone)
212.656.1118 (Fax)
rsz@rszpc.com
Attorneys (admitted *pro hac vice*) for
*Third Party Claimants Irina Alishayeva,
Simkho Bangiyev, Riva Badalova and Ilana Bangiyev*

CERTIFICATE OF SERVICE

I hereby certify that on this 8th day of July, 2019, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send a notification of such filing (NEF) to counsel of record.

/s/
Nina J. Ginsberg, Esquire